WASHINGTON, D. C., MONDAY, MAY 20, 1895-TWELVE PAGES.

TWO CENTS.

MR. REED'S VISIT

It Had Also an Important Business Consideration.

THE FOREIGN AFFAIRS CHAIRMANSHIP

Who Can Take Mr. Hitt's Place If He Remains III?

QUESTIONS FOR CONGRESS

Friends of Representative Hitt are assigning a double reason for the late flying visit to Washington of ex-Speaker Reed. Of course Mr. Reed entertains a strong personal friendship for Mr. Hitt and that alone would have been enough to have caused him to run over to the capital from New York to inquire regarding the condition of the sick man.

A Business Consideration.

But there was a business consideration of the utmost importance to the country at large and to the republican party in particular, that figured in this visit. In the reorganization of the House of Representatives Mr. Reed regards Mr. Hitt as a tatives Mr. Reed regards Mr. Hitt as a weighty element. The feeling is unanimous throughout the republican party that there is no man elected to the Fifty-fourth Congress so well qualified to take the chairmanship of the committee on foreign affairs as Mr. Hitt. Members of Congress to not stop at so mild a statement of the case as this. They regard Mr. Hitt as the only man with information on foreign affairs thorough enough and with diplomatic accomplishments sufficient to take the leadership in that important committee without long and careful study of the questions now pending and likely to weigh ieriously on the next Congress.

The One Man for Foreign Affairs.

The One Man for Foreign Affairs. There are a dozen men who would make good chairmen of either the appropriations or the ways and means committee, because the nature of the case makes the questions pefore these latter committees more constantly under discussion than are the affairs connected with the foreign affairs of the government. Mr. Hitt has served with great credit in the State Department, where he has learned a thousand things where he has learned a thousand things regarding diplomatic matters that do not come to the attention of the average member who understands politics better than liplomacy. He is an accomplished French student, and speaks several other languages fuently. He has made a habit of reading of the official acts of the leading nations of the world in the vernacular of each country. He has proven himself to be not only a close student of international affairs, but by nature he is well fitted to negotiate such matters. He is thoroughly American, and believes in a vigorous though conservative foreign policy, and especially in the strict maintenance of the Mcnroe doctrine.

Other Members on the Committee. The question now being discussed is, 'Where else can the Speaker of the next House find such a man as Mr. Hitt, to whom the affairs of the committee on foreign affairs can be trusted?" The general feeling is that there is no one. In view of this condition, Mr. Reed is placed in a position that causes him much concern. Next to Mr. Hitt Representative Harmer of Pennsylvania is the senior member of the committee, and the only other "holf-over" republican member is Representative Draper. Mr. Harmer is generally regarded as a good, conservative republican, who can be counted to vote on the right side of questions affecting the welfare of the United States, but his long service in the House of House find such a man as Mr. Hitt, to States, but his long service in the House of Representatives has undoubtedly figured position. He is not regarded as possessing position. He is not regarded as possessing all the elements that the chairman of the committee for foreign affairs should have. Representative Draper is next to the last member of the committee. He is a manufacturer, is not a lawyer,

and has never been known as an authority on international affairs. Representatives Storer, Blair and Van Voorhis, who made up the remainder of the complement of the committee during the last Congress, have all been assigned to private life. Neither Mr. Blair nor Mr. Van Voorhis would have been an ideal chairman of the committee, while Mr. Storer, although a young member, would have been a very strong candiber, would have been a very strong candi-date for the place had not the republicans of Cincinnati formed a combination which left him in the cold, and caused him to lose iert nim in the cold, and caused nim to lose a renomination. Mr. Reed and Mr. Storer were warm personal friends and the latter was ambitious and worked hard to fit himself for important duties on the committee on foreign affairs, and would have had a splandid share. splendid chance for success as an alterna-tive to Mr. Hitt, had he remained in the

The Most Important Committee. The business part of Mr. Reed's visit to Representative Hitt's bedside was to learn whether the invalid would likely recover in time to so recuperate his health that by the first Monday in December he could de vote long hours daily to the study of ques vote long hours daily to the study of ques-tions before his committee. Of all the committees of the House of Representa-tives that on foreign affairs is regarded as likely to prove the most important during the next Congress. The work of the committees on ways and means and on appro-priations is old straw that has been threshpriations is old straw that has been thresh-ed over time and again, and will require chiefly application. No radical change in the work of the committee on appropria-tions is regarded as probable, while the tariff is not likely to be taken up by the ways and means committee. Mr. Reed's own declarations since the adjournment of Congress have been such as to show the

these are his own views on the tariff The Great Question to Come Up. The great question, it is very generally believed that will come before Congress, will be the maintenance of the Monroe docwill be the maintenance of the Monroe doc-trine, and most decisive measures are likely to be necessary in order to teach other nations that the United States means that they shall not introduce their systems of government on the American continent. The Hawaiian Samean Nicaraguan and The Hawaiian, Samoan, Nicaraguan and Venezuelan complications are among the knotty questions likely to come up to call enforcement of this principl

Congress have been such as to show that

for an enforcement of this principle.

The problem before Mr. Reed is "Who is to be chairman of the committee on foreign affairs, in case Mr. Hitt has not recovered sufficiently to take the helm?"

The best solution he can find for this problem is to intimate to The best solution he can find for this prob-lem is to intimate to some member that in case Mr. Hitt cannot take hold actively as chairman in December he is to be pre-pared for such duty. Such member would be expected to begin actively to study up the foreign business relations of this gov-ernment, to thoroughly post himself on all questions of international law which are likely to be called up, and in every way be fitted for his duties, so that the party and the country may not suffer from inquestions of international law which are likely to be called up, and in every way be fitted for his duties, so that the party and the country may not suffer from inefficient work on that committee. How Mr. Reed was impressed by his visit to the sick chamber of Mr. Hitt is not known, but every one concedes that the Illionis member is a very ill man.

Snap Shots at the President.

President and Mrs. Cleveland drove down from Woodley today and arrived at the White House about 10:30. As they drove up to the front entrance a photographe with a kodak camera from one of the up per windows took a snap shot at them. After Mrs. Cleveland had entered the White House the President stood for a moment taiking with the coachman about the horses, and the man with the camera obtained another picture of him. Snap shots at the President and his wife have MAJ. GEN. RUGER ARRIVES

No. 13,169.

He Will Complete the Revision of the Army Regulations.

What He Says About This Work, for Which He Has Been Specially Detailed.

Maj. Gen. Thos. H. Ruger, who has just been relieved of command of the depart-ment of the M'ssouri, at Chicago, by Maj. Gen. Merritt, reported at the War Depart ment this morning for special duty under orders issued at the time of the recent shifting of commands consequent upon the assignments of Brig. Gens. Bliss and Coppinger. He is accompanied by Mrs. Ruger and Miss Ruger and has apartments at the Shoreham. He is also accompanied by Capt. S. C. Mills, twelfth infantry, and Lieut. Chas. G. Lyman, third cavalry, aids-Lieut. Chas. G. Lyman, third cavalry, aids-de-camp, and by Capt. Chas. B. Hall, nine-teenth infantry. The last named officer is specially detailed to duty under Gen. Ruger in the revision of the drill regulations of the army, a work assigned to Gen. Ruger, and the completion of which is given as a reason for his assignment to duty at Washington, where he can have the advantage of frequent necessary conferences with the leading military authorities specially interested in the subject.

The Work of Revision.

"The present drill regulations," says Gen. Ruger, "are the work of boards which completed their work three years ago. They were given two years' experimental use, and each regimental commander was given orders to note the drills of his regiment and make report on the regulations governing his arm of the service. All of these reports have been made, and, acting on the suggestions made by the colonels, we are revising the different regulations. We have found many defects in several things, and are changing the tactics governing the use of the small arm, the old regulations being written to cover the use of the Springfield rifle. The new small arm is so different from the old that many of the moves are wholly impracticable. Then we are revising the regulations to keep abreast of the times and other countries who have boards now engaged in similar work. I expect to be engaged in the work of revision, and I find so much to do that I will hardly have time for anything else." Gen Ruger and his staff are temporarily occupying Gen. Schofield's offices at the War Department until permanent quarters can be secured. given orders to note the drills of his regi-

ADMIRAL MEADE RETIRED.

The President Administers a Rebuke in Approving His Application.

The President today placed Admiral Meade on the retired list of the navy, and



in so doing took occasion to reprimand him for recent conduct.

THE QUESTION OF REVENUE.

What Postmaster General Wilson Says

of the Decision.
"That was as I expected," said Post-master General Wilson, when the news of the decision was carried to him by a Star reporter. "Well, it is not so serious as the general view of it seems to make it. If trade revives and continues to improve as it has of late there will be revenue enough. The tariff is yielding now at the rate of \$160,000,000 a year, and there is a good prospect of an increasing aggregate of internal revenue. It is an item seldom thought of that the large amount of whisky taken out of bond between the beginning of the fiscal year-July 1, 1894-and August 28, when the new tariff went into effect, is about exhausted.

"From now on increasingly, larger amounts of whisky must be taken out un-der the new tax, which adds 20 cents of revenue from every gallon-\$1.10 is the present tax per gallon-and this increase will amount to over \$15,000,000 a year. Taken with the increase of revenue from customs duties the new tax on whisky will make up the deficit. This month, you see, the integral revenue collections are \$1000. he internal revenue collections are \$6,000,-00 and tariff about \$7,000,000, while we raid out over \$10,000,000 for pensions. I think times are improving and the govern-ment will have all necessary revenue and the deficit will soon be a thing of the past."

ENTERED ON HIS DUTIES.

Brig. Gen. Craighill Now Actively Chief of Engineers.

Brigadier General Craighill entered actively upon the discharge of his new duties as chief of engineers today, after a week's absence in Baltimore, closing up his affairs in connection with river and harbor works in that district.

Several important changes in the engineer corps are looked for in the immediate future, as soon as General Craighill shall have had an opportunity to consult with the Secretary of War on the subject.

Major Henry M. Adams, who was General Casey's chief assistant for the past seven years, will probably be relieved of further duty at the War Department.

NEARLY EXHAUSTED.

The Appropriations for United States

Courts for the Current Year. The appropriations for United States courts for the current fiscal year are nearly exhausted, and several of the courts have been compelled to suspend business. The Attorney General says that there is no means of relieving the situation. The current appropriation for witness fees and pay of bailings is exhausted and none of the other judicial appropriations can be drawn upon to meet the emergency.

A Court-Martial Ordered.

A general court-martial has been ordered o meet at Fort Douglas, Utah territory, en the 24th instant, for the trial of such prisoners as may be ordered before it. Lieutenant Colonel E. M. Coates, sixteenth infantry, is president, and First Lieutenant P. D. Lochridge, second cavalry, is the judge advocate of the court.

Civil Service Commissioner Harlow Mr. Harlow of Misseuri, who succeeds Mr. Lyman on the civil service commission, has notified the President of his actance of the appointment. He so

THE SIDE OF SILVER

Statement by an Illinois Free Coinage Leader.

CALLING OF THE COMING CONVENTION

To Prevent Democrats From Leaving the Party.

MR. HINRICHSEN TALKS

Special from a Staff Correspondent. SPRINGFIELD, Ill., May 20.-Here is the story of the present silver movement in Illinois, told by the politician who has engineered it. It is a plain tale, delightfully frank, and the audacity of the political move is openly avowed. The purpose which was intended to be accomplished is confidently expected to be realized, and there is utter indifference to the collateral effects. The politicians have conjured with a mighty fetich, and the power they invoked is already sweeping beyond their control.

Here is the story of a handful of men in control of the democratic machinery of Illinois, who have taken advantage of the existence of a latent sentiment for free silver to arouse that feeling into activity. mark it with the tag of democracy and send it forth to work a political end for themselves. Of the hosts of Iliinois demothemselves. Of the hosts of Illinois demo-crats, the plain people of the land, who sincerely believe in silver coinage and honestly think their present action is a bona fide effort in behalf of the remoneti-zation of that metal, no criticism can be made. Whether these trusting people are being utilized by skillful politicians for another purpose than the one they have in mind remains to be shown by events of the future.

That the arousing of the free silver storm in Illinois originated in the state house in

That the arousing of the free silver storm in Illinois originated in the state house in Springfield is admitted. But for the action of the little group of politicians in using the machinery of the party to open the question by calling the free silver convention, the believers in silver coinage would still be nursing their opinions and waiting and watching for silver to have its innings in the regular course of proceedings.

William H. Hinrichsen, secretary of state, chairman of the state central committee, the right-hand man of Gov. Altgeld and lieutenant of the Altgeld democracy of the state, is the man who engineered the lighting of the free silver prairie fire. He had nothing to do with the preparation of the material for the conflagration. That has been at hand for the last two years; but it was he who laid the firebrand and worked the bellows to fan it into flame. Mr. Hingely the state is the state of the lighting of the free silver prairie for the had nothing to do with the preparation of the material for the last two years; but it was he who laid the firebrand and worked the bellows to fan it into flame. Mr. Hingely in the state of the state of the preparation of the preparation of the preparation of the material for the last two years; but it was he who laid the firebrand and worked the bellows to fan it into flame. was he who taid the Brebrard and worked the beliows to fan it into flame. Mr. Hin-richsen's opponents concede him to be one of the sharpest politicians in the state. The way in which he worked the state central mittee to his purpose was eloquent demon-stration of the fact.

To Keep Democrats in Line.

"The object in calling the convention and starting the movement," said Mr. Hinrichsen to the writer, "was three-fold and born of a political necessity. First, to prevent the democrats of this state from going bodily into the new silver party now being formed in the west; second, to educate the people upon the silver question before the elections; third, to put life into the party and prevent its dissolution before the charge of national democratic incompetency. It was evident that the democracy of this state would be absolutely paralyzed unless something were done to arouse them.

unless something were done to arouse them.
"Last January I wrote to more than 1,000 active democrats in the state, asking for their explanation of the apparent demoralisation of the democration of the state. ization of the democratic party in Illinois. The men addressed were selected for their knowledge of practical politics and actual conditions. The answers showed the trouble to be due to the inability of the democratic Congress to agree on a financial policy; to the efforts to inaugurate the Carlisle currency scheme to head off silver, and to the bond issues of the administration and the leaning of the President toward a gold standard and away from the principles of democratic himstallism.

of democratic bimetallism.
"The people felt they had been deceived In their representatives. Illinois democrats have been for free silver for years. When the Sherman act was repealed and nothing was done for silver the democrats saw that silver's case was hopeless under existing conditions. We are convinced that Mr. Cleveland is a monometallist, and that those politicians who advocate waiting for an international agreement and bimetallism are merely playing the people. in their representatives.

Calling the Convention.

"After getting the returns from the state upon the condition of feeling among our people, it was determined to take action The state central committee was called in session here. The proposition for assem bling a free silver convention, in order that the democracy may go squarely upon record, was presented. There were twentythe delegates and proxies present. The vote upon calling the convention was sev enteen ayes, three noes and one not voting. The call was then issued, and was received

The call was then issued, and was received with delight.

"There will be 1,076 delegates to the convention. Of this number one-half have already been chosen. Of those chosen 98 per cent are for free colnage. Three counties cent are for free coinage. Three counties have refused to call primaries, and in each case the county committee was composed of federal officeholders, but there will be mass meetings in those counties and delegates sent by popular vote. When the convention assembles there will not be 5 per cent of anti-silver votes in it.

"The convention will adopt a resolution declaring that we demand the free and

declaring that we demand the free and unlimited coinage of silver and gold at a unlimited coinage of silver and gold at a ratio of 16 to 1, without waiting for permission or action of any foreign government. An attempt will be made not to commit the convention to a fixed ratio, but the effort will be voted down overwhelmingly. It would be useless to adjourn without fixing a ratio and there will be no equivocation upon this point. e no equivocation upon this point.

Rebuilding the Party.

"The action of this convention will be the virtual reorganization of the democratic party in Illinois. Following the behests of the convention the party will be rebuilt from the township organization up, and after this it will be impossible for the politicians to deviate from the plain commands of the people. It is possible that we may lose some democratic votes, but if so, we will gain more than we lose. The republicans will straddle the question as usual. There are free silver republicans in this state who would not hesitate to vote a free silver democratic ticket, be-cause they would think they were voting for national and personal prosperity, and under such a condition party would be forgotten.

"It has been charged that personal am

bition actuates those who are at the head of this movement; that I want to be gov-ernor, and that Mr. Altgeld wants to be a ernor, and that Mr. Altgeld wants to be a Senator. It is easy enough to make a charge like that; it is a mere matter of assertion. This movement is a matter of principle and the result of an honest and sincere wish to promote the prosperity of the people and the welfare of the democratic party of Illinois. The democrats of rhis state are grounded root and branch in the belief that prosperity will not come permanently until the mints of the country are open equally to the coinage of siltry are open equally to the coinage of silver and gold. There are ninety democrats n this legislature and eighty-five of then are for free silver. There are 119 republi-cans and thirty-four are for free silver. It must not be supposed that the silver ple of this state are flat money men

greenbackers are flatists, and they are op-posing the silver movement." An Authoritative Statement.

The foregoing remarks of Mr. Hinrichsen may be accepted by the readers of The Star as an authoritative statement of the plans and purposes of the free silver democrats of Illinois who will control the action of the convention to meet here June 5. The Altgeld faction is in absolute control of the machine of the party, and the machine has dictated the state central committee, the call, the primaries and will rule the

the call, the primaries and will rule the convention.

Too much stress cannot be laid upon the fact that, however specious the projects of the political leaders may be, the plans and intentions of the people are sincere and earnest. They don't care what political advantage may accrue to a few political advantage may accrue to a few political shy this movement or the benefit they will receive from it. The one fixed idea of the masses is that here is an opportunity to make a boom for silver coinage. There is no trifling in their position. They are going into this movement with heart and soul bent upon one idea, and they have arisen as one man to the call of the politicians. This is the feature that is alarming the sound money people and the old-line, conservative democratic leaders. They realize what a powerful effect the movement is sure to have upon the democracy of adjoining states, and they see in the situation elements of grave danger.

N. O. M.

WHARTON BARKER'S PREDICTION.

He Says That the Bimetallists Are Or-ganized to Win. DENVER, Colo., May 20.-Wharton Barker of Philadelphia, who is now in this city, expresses the opinion that the Salt Lake silver conference, which he attended,

will be productive of much good. "I would open the mints to silver tomorrow if I had the power," said Mr. Barker. "I don't want silver monometallism any more than I want gold monometallism, but if my vote could settle the question the doors would be thrown open at once without any waste of time in consulting with

England."

Mr. Barker prophesied that a majority of the people of Pennsylvania will vote at the next election for men for President and Vice President who are in favor of bimetal-

Vice President who are in favor of bimetallism and protection." responded
he, "will be the platform that will win in
Pennsylvania at the next national election.
I believe that 3 majority of the people of
New York city and state will vote for
candidates or 'he same platform. Chauncey Depew does not understand the people
of the state he lives in when he declares
that the gold sentiment will prevail. Bimetallist forces are organized and will go
into the fight to win."

THE MEMPHIS CONVENTION.

Most of the Larger Southern Towns Will Be Represented. MEMPHIS, Tenn., May 20.—Judging of the appointment of delegates already reported, there will probably be upward of 300 exponents of the sound money sentiment of the south in attendance at the ccavention opening here on the morning of Thursday, the 23d instant. Every city of Thursday, the 23d instant. Every city and most of the larger southern towns will be represented. The convention will meet in the Auditorium, which has a seating capacity of 8,000, and the probability is that its capacity will be taxed to the uttermost. Secretary Carlisle will reach the city the morning of the 23d, and it will be left to him to say whether he shall speak during the day session or at night. The applications for quarters at the hotels indicate that several thousand visitors, some from northern and western cities, will be on hand to hear him.

NORTH CAROLINA'S CONFEDERATES.

Unveiling the Monument to Those Killed in the War. RALEIGH, N. C., May 20.-The confederate monument to be unveiled in this city today is of Mt. Airy granite. Its height is 72 feet 6 inches, and it will be lighted by four bronze electric lamps in clusters three each. Partly up the shaft stand two bronze statues, one of a cannoneer with a rammer in his hands. On the side opposite him is a cavalrymah dismounted, with saber half drawn and in a very spirited attitude. On the base are circular bronze medallions with the seals respectively of the confederate states and of North Carolina. There are two inscriptions. One of these is "North Carolina to her confederate dead," and the other is "First at Bethel, last at Appomattox, 1861-1865." The main portion of the shaft is one block of stone, 27 feet high, and weighing 55,000 pounds. The monument is surmounted by the bronze figure of an infantryman in light marching order, standing in an easy atti-tude with musket lightly clasped with both hands. This statue is ten feet high and weighs 2,500 pounds, while the two already mentioned are life-sized. All are from life, the models being veterans living in Ra-leigh.

The attendance is expected to be the The attendance is expected to be the greatest over seen here. Thousands of veterans are coming and the state guard will be nearly all in line. Gen. John W. Catten commands the brigade of troops, Dr. Peter E. Hines the veterans, and O. J. Carroll is chief marshal, with two hundred assistants. May 20 is a state holiday, being the anniversary of the Mecklenburg Declaration of Independence of 1775.

Declaration of Independence of 1775 Declaration of Independence of 1773s.

The program of exercises at the monument is as follows: Invocation, Rev. Dr. Bennet Smedis; address of welcome to visitors, Capt. S. A. Ashe; oration, Col. A. M. Waddill; presentation of the monument, Col. S. McD. Tate; acceptance of the monument, by Gov. Carr; unveiling of the monument, little Julia Jackson Christian, aged seven years, and granddaugher of Gen. ument, little Julia Jackson Christian, aged seven years, and granddaugher of Gen. Stonewall Jackson; ther after a salute by the infantry and artillery, several short speeches are to be made, the speakers being Gen. Bradley T. Johnson of Baltimore, ex-Gov. Holt, Col. A. C. Avery, Col. W. H. Clark, Col. H. C. Jones, Col. W. H. H. Cowles and Cyrus B. Watson.

At the conclusion of these addresses the military and the veterans will pass in review in front of the monument.

CHIEF SEAVEY'S CASE.

His Friends in Omnka Trying to Secure Reinstatement.

OMAHA, Neb., May 20 .- Last month the pelice beard of Omaha permitted Chief W. L. Seavey to resign, his resignation to take effect May 20. His dismissal was the resul of a long fight, charges of questionable transactions being made, particularly as to how he acquired considerable property on \$2,400 salary. The charges were not maintained, but the citizens thought he had outlived his usefulness, and demanded his esignation.

Seavey is president of the Chiefs of Po-ice National Association, and has been in Washington attending the annual convenion. His friends have started a campaign o have him reinstated. A petition to have nim reinstated was presented to the police poard for their signatures, and all but two

TO BE TRIED SOON.

The Government's Big Suit Agains the Stanford Estate. SAN FRANCISCO, May 20 .- The govern

nent's \$15,000,000 suit against the estate of the late Leland Stanford will be tried in the United States circuit court early in June, though it was at one time set for argument on demurrer late in that month. An agreement to this effect has been re ported between Russell Wilson, who represents Mrs. Stanford, and L. K. McKissik special counsel for the government. ford's anxiety to have the case out of th way, for it stands over her as a perpetual menace and hampers the fulfillment of the purposes specified in her husband's will.

Tax Act Declared **Unconstitutional**.

DECISION RENDERED TODAY

Chief Justice Fuller Delivers the Opinion.

Justice Harlan and Others Deliver Dissenting Opinions.

HISTORIC SCENE IN COURT

The income tax law was today wiped from the statute books of the United States. The Supreme Court, the highest judicial tribunal of the land, in a careful opinion read by Chief Justice Fuller, imnediately after the convening of the court at noon today, declared unconstitutional and therefore void those features of the law providing for a tax on the incomes from rents and the investment of personal



Melville W. Fuller, Chief Justice. roperty, as well as on personal property itself, and has set aside as void those sections of the law which assess a tax upon incomes from business, privileges and emplcyments.

The conclusions of the court were as follows:

First. We adhere to the opinion already announced, that taxes on real estate being indisputably direct taxes, taxes on the

Second. We are of opinion that taxes on personal property or on the income of personal property are likewise direct taxes.

to 37, inclusive, of the act of 1894, so far as it falls on the income of real estate and did he raise his eyes from the manuscript on personal property being a direct tax to look into the court room beyond the bar, within the meaning of the Constitution, and therefore unconstitutional and void because not apportioned according to representation, all those sections constituting one entire scheme of taxation are necessarily invalid.

The decrees hereinbefore entered in this court will be vacated; the decrees below will be reversed, and the cases remanded with instructions to grant the relief prayed. Sections 27 to 37 of the tariff act of 1894, referred to in the conclusions of the court in the opinions, are all the sections of the act relating to the income tax, so that the entire incom, ax law is declared void specifically.

A Scene of Historic Interest. The anouncement of this opinion and of the dissenting opinions following made a scene of unparalleled interest and historical importance in the annals of the Supreme Court. Justice Harlan read a dissenting opinion, occupying an hour in its delivery, which was acknowledged to be one of the most sensational documents ever handed down from the Supreme bench by one of its occupants. Not only were the conclusions of Justice Harlan significant in their force and application, but the man-



Justice Gray.

ner in which he delivered them was impassioned and earnest to a most remarkable degree. A member of Congress who attended the sitting of the court today said to a reporter for The Star that never before in all his experience of thirty-three years in practice before that court had he ever witnessed the exhibition of such deep feeling as that shown by Justice Harlan in declaring his dissent from the opinion of the majority of the court.

From Justice Harlan's words it develped that the judgment of the court was that of but five of the nine members of the tribunal, thus being made the prevailing opinion by a bare majority of one. Justice Jackson read an opinion dissenting from the judgment of the court. It was Justice Jackson's absence that caused the rehearing of the cases, and it was generally expected that on his vote would depend the fate of the law. On the contrary, however. Justice Jackson's vote did not determine the outcome, as it proved, for it appears that in the second consideration of tire tariff act, by a parity of reasoning,

the case Justice Shiras, who, on the last occasion, voted to sustain the law, changed his views and concurred in the judgment of the court, which was read by Chief Justice Fuller this morning. Had Justice Shiras retained his old position in respect to the constitutionality of the law, it would today have been sustained by the addition oday have been sustained by the addition

of Justice Jackson's voice in its favor. The Crowded Court Room.

In anticipation of the announcement of the opinion of the court the Supreme Court room was crowded long before the hour of convening. By a few minutes after 11 all of the seats in that small portion of the room devoted to the public were occupied, and by 12:15 the bar itself was filled. There was the usual number of handsomely dressed women in the throng, aid the scene was quite a gay one, as the justices filed into the court room. Quite a number of distinguished mea occupied seats in the bar. Among these were Sena-tors Hawley, Squire and Mitchell of Oregon; Representatives Grosveror and Hare, ex-Representatives Butterworth and Kasson, Controller Bowler, ex-First Controller Lawrence, and the District bar was represented by Messrs. Sheilabarger, J. M. Wilson, J. J. Darlington, Calderon Carlisle, H. E. Davis, ex-Commissioner Douglass

Attorney General Olney and his assistant, Mr. Whitney, reached the court room shortly before 12 and greeted Mr. James C. Carter, the only member of the staff of counsel for the appellants who was present.

and others.

When the Justices Entered. There was a buzz of expectation running

through the court room when the doors leading to the robing room were opened and the arrival of the court was announced, Chief Justice Fuller bore in his right hand bundle of papers, which was carefully scrutinized by the crowd in the absurd tope of gaining some inkling of their con-

the court.

The

The chief justice read in a low but clear voice which reached every ear. Not once but confined his attention entirely to the document which he was reading, and which he consumed with great speed.

He occupied about forty-five minutes in its delivery, although it was apparently much longer than the dissenting opinion of Justice Harlan, which occupied an hour Justice Jackson's Return. Justice Jackson, who appeared on the Supreme Court bench so unexpectedly to

very one, his associates included, returned to the city today from Philadelphia, where he has been under the care of Dr. Pepper As Justice Fuller proceeded in his reading the belief of those who were present that the law would not be sustained was gradually verified and enforced from the frequent assaults which the opinion made upon the character of the tax as a direct tax. The question merely was what here tax. The question merely was whether the judgment, of the court would go so far as to declare the entire law void or it would rest with the destruction of th it would rest with the destruction of those sections which impose a levy upon rents, the incomes from bonds and the product of personal property. It cannot be said, therefore, that the final conclusions of the court were a surprise to those assembled. The surprise came when Justice Harlan rendered the dissenting opinion, but it was not based upon the fact of his dissenting, for his dissenting, for his views were well defined on the pre ceding occasion. Justice Harlan's Dissent.

Justices of the Supreme Court, in rendering opinions, are usually content with a calm, unbroken statement of their views which are usually read from manuscript in a most uninteresting style. Not so, how ever, with Justice Harlan today. Almost at the beginning he began to gesture and to address his remarks so forcibly to the mem-

address his remarks so forcibly to the memmers of the bar that they were quite prepared, when, warming up with his theme, he finally turned deliberately to the Chief Justice, who sits next to him, and gesticulated almost in his very face.

Justice Harlan's opinion throughout had a caustic tone, almost of sarcasm. He did not, of course, descend to humor to illustrate his points, but at one time quoted from the brief of one of the counsel for the plaintiff in reference to the distinctions between the tax on a 10-cent dog and one valued at \$1,000, and so pointedly did he address his references to the case in hand that the auditors were thrown into a state of very undignified hilarity.

Justice Harlan's opinion caused many grave faces among those who heard him render this impassioned and at times eloquent protest against the demolition of the law. Some of his phrases caused a thrill of sensation to run through the assemblers. of sensation to run through the assem-blage. When he said that he regarded this judgment with the gravest apprehension gray-bearded lawyers moved uneasily in their seats and looked at one another with

when he said that this decision would tend to re-establish a condition of help-lessness on the part of the American administration, there was a general lifting of eyebrows, and men who had been up to of eyebrows, and men who had been up to this point somewhat amused at the almost vehement utterances of the justice began to look more serious. "If this new view of the Constitution

shall become accepted and fixed," said the justice, with bitter sarcasm, as ne turned his face toward the chief of the bench, sitting beside him, "the American people cannot too soon amend their Constitution."

Justice Harlan's concluding remarks made the impression of wonder and surprise felt by those in the audience still more marked. After declaring that a logical result of the judgment which threw out all the law because some parts of it were void would be to invalidate the entire tariff set by a parity of reasoning.

an expression of amazement ran through

the proof of the pudding is in the eating Saturday's Star contained 54 columns

of advertisements, made up

of 1,092 separate announces ments. These advertisers bought publicity-not merefy

our social order, and invest them with im-portance and influence over the common pecple without property of those kinds who ought not to be subject to the dominance of aggregated wealth."

At the conclusion of Justice Harlan's opinion, which occupied an hour in delivery,



here was a very general movement out of the court room, which was arrested by the announcement that Justice Jackson would render an opinion. Judge Jackson spoke in a very feeble voice that could hardly be heard at the doors.

The Court's Opinion. Mr. Chief Justice Fuller delivered the

opinion of the court as follows: Whenever this court is required to pass upon the validity of an act of Congress as tested by the fundamental law enacted by hope of gaining some inkling of their contents. Justice Gray's usually inscrutable face wore a sphynxlike smile as he surveyed the large crowd from his towering height. Justice Jackson, whom many supposed to be the arbiter of the fate of the law, seemed more feeble than usual as he took his seat.

Justice Shiras was apparently under great nervous strain, for his brow was deeply furrowed and his lips were tightly compressed when, after the formal preliminaries of opening the court had been observed, the chief justice, without a word of warning, read the titles of the cases on which the fate of the law depended, and immediately proceeded to read from a closely written manuscript the judgment of the court.

The face of the law depended, and in the fate of the law depended, and care and invokes the deepest sense of responsibility. And this is especially so when the question involves the exercise of a great governmental power and brings into consideration, as vitally affected by the decision, that complex system of governments os sagaciously framed to secure and perpetuate "an indestructible states." We have, therefore, with an anxious desire to omit nothing which might in any degree tend to elucidate the questions submitted, and added by further able arguments embodying the fruits of elaborate research, carefully re-examined these cases, with the result that, while our former conclusions remain unchanged, their scope must be enlarged by the acceptance of their logical consequences.

The very nature of the found many the people, the duty imposed demands in its discharge the utmost deliberation and care and invokes the deepests ense of responsibility. And this is especially so when the question involves the exercise of a great governmental power and brings into consideration, as vitally affected by the decision, that complex system of governments obscure and preparent governments of seal governments of the questions involves the exercise of a great governmental power and brings into consideration, as vitally affected

The very nature of the Constitution, as ef Justice Marshall, in one of his greatest judgments, "requires that only its great outlines should be marked, its important objects designated, and the minor ingredients which compose those ob-jects be deduced from the nature of the object themselves. In considering this question, then, we must never forget, that it is a Constitution that we are expound-ing."

Taxatton Divided Into Two Classes. As heretofore stated, the Constitution divided federal taxation into two great classes, the class of direct taxes and the class of duties, imposts and excises, and prescribe two rules which qualified the grant of power as to each class. The power to say direct taxes, apportioned among the grant of power as to each class. The power to lay direct taxes, apportioned among the several states in proportion to their representation in the popular branch of Congress, a representation based on population as ascertained by the census, was plenary and absolute; but to lay direct taxes without apportionment was forbidden. The power to lay duties, imposts and exclses was subject to the qualification that the imposition must be uniform tion that the imposition must be throughout the United States. Our previous decision was confined to the

consideration of the validity of th

on the income from real estate and on the



Justice Harlan.

income from municipal bonds. The question thus limited was whether such taxation was direct or not, in the meaning of the Constitution, and the court went no farther as to the tax on the incomes from real estate than to hold that it fell within the same class as the source whence the income was derived—that is, that a tax upon the realty and a tax upon the receipts therefrom were alike direct, while as to the income from municipal bonds, that could not be taxed because of want of power to tax the source, and no reference was made to the nature of the tax as being direct or indirect.

The Field of Inquiry Broadened.

The Field of Inquiry Broadened. We are now permitted to broaden the

field of inquiry, and determine to which of the two great classes a tax upon a person's ertire income, whether derived from rents or products, or otherwise of real estate or frem bonds, stocks, or other forms of perschal property, belongs; and we are unable to conclude that the enforced subtraction from the yield of all the owner's real or personal property, in the manner pre-scribed, is so different from a tax upon the property itself, that it is not a direct, but an indirect tax, in the meaning of the Con-

an indirect tax, in the meaning of the Constitution.

The words of the Constitution are to be taken in their obvious sense, and to have a reasonable construction. In Gibbons agt. Ogden, Mr. Chief Justice Marshall, with his usual felicity, said: "As men whose intentions require no concealment generally employ the words which most directly and aptly express the ideas they intend to convey, the enlightened patriots who framed our Constitution and the people who adopted it must be understood to have employed words in their natural sense, and to ployed words in their natural sense, and to have intended what they have said."

We know of no reason for holding other-